



FOR IMMEDIATE RELEASE
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MANAGER OF SIERRA VISTA COMPANY CHARGED IN WORKSITE ENFORCEMENT PROBE

TUCSON, Ariz. -- Robert Rubio, 25, of Sierra Vista, Arizona, was arrested and charged today for knowingly hiring illegal aliens and intentionally harboring and/or concealing illegal aliens.

The complaint alleges that Rubio, who is the manager of a company in Sierra Vista, Arizona, tipped off an alien that immigration agents were inspecting the company. According to the complaint, a Form I-9 inspection was conducted on the company on June 21, 2007. Rubio is alleged to have contacted an alien who worked for the company while the Form I-9 inspection was being conducted, with the intent to tip off the alien that an inspection was underway. Rubio allegedly told the alien to "get out of town" along with the rest of the group, otherwise the group will likely be arrested by immigration agents due to the alien's lack of status in the United States. Form I-9s are required to be maintained on each employee by a company for specified periods of time.

The complaint further alleges that one illegal alien was found in a publically inaccessible location, labeled "employees only," on or about June 18, 2007. That illegal alien was working for Rubio, but the company did not have a Form I-9 on file for the undocumented alien. As a result of the Form I-9 inspection, agents determined that ten individuals who were working for the company were using fraudulent Permanent Resident Alien cards. Agents cross checked the ten illegal alien workers with the State of Arizona's Department of Economic Security (DES) Wage Reporting and Unemployment Insurance submitted by the company. The DES wage report indicated that the ten fraudulent Permanent Resident Alien cardholders were reported by the company as receiving payment. The DES wage report further indicated that the undocumented alien who was apprehended on June 18, 2007, and did not have a Form I-9 on file with the company, was also not reported as earning wages during the 3rd quarter of 2007.

A conviction for knowingly hire illegal aliens, a class B misdemeanor, carries a maximum penalty of six months in prison, a \$3,000 fine per unauthorized alien employed fine, plus other possible fines. A conviction for harboring and/or concealing illegal aliens carries a maximum penalty of five years, a \$250,000 fine or both. In determining an actual sentence, the judge will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

A criminal complaint is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation in this case was conducted by Immigration and Customs Enforcement and

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United States Border Patrol. The prosecution is being handled by Munish Sharda, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz..

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For more information on the U.S. Attorney's Office, District of Arizona, visit <http://www.usdoj.gov/usao/az/>